

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LAWRENCE E. MACKEN,

Plaintiff,

v.

SPOKANE COUNTY (MUNICIPAL
JAIL), JOHN McGRATH,
LIEUTENANT TYLER, SERGEANT
PURCELL, and SCOTT BAUM,

Defendants.

NO. CV-11-400-JPH

ORDER ON PLAINTIFF'S MOTIONS
TO ALTER OR AMEND JUDGMENT
AND TO EXPEDITE

BEFORE THE COURT is plaintiff's motion to alter or amend judgment. ECF No. 95. On January 16, 2013, the Court granted defendants' motion for summary judgment and dismissed the complaint with prejudice. ECF No. 93.

Plaintiff asks the Court to alter or amend its judgment denying "Plaintiff's Motion to Preclude Defendants' Motion for Summary Judgment," ECF No. 88, because the pleading was "meant to be defined and understood as Plaintiff's Response to Defendants' Motion for Summary Judgment." ECF No. 95 at 2.

1 The Court denied plaintiff's motion to preclude but treated
2 the pleadings as they were intended, that is, as plaintiff's
3 response to defendants' summary judgment motion. See ECF No. 93.

4 The Court has considered the motion and reviewed the record.
5 Accordingly,

6 **IT IS ORDERED** that Plaintiff's motion to expedite, **ECF No.**
7 **96, is GRANTED.** Plaintiff's motion to alter or amend judgment, **ECF**
8 **No. 95, is DENIED** as meritless.

9 DATED this 18th day of January, 2013.

10 S/ James P. Hutton

11 JAMES P. HUTTON

12 UNITED STATES MAGISTRATE JUDGE
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